

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Lance Phillip Wickner,

Civil No. 09-1219 (DWF/JJK)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Mary McComb, Kent Grandlienard,
Steve Ayers, Mike Green, and Natalie
Leseman, all sued individually,

Defendants.

Lance Phillip Wickner, *Pro Se*, Plaintiff.

Jackson Evans, Assistant Attorney General, Minnesota Attorney General's Office,
counsel for Defendants.

This matter is before the Court upon Plaintiff Lance Phillip Wickner's ("Plaintiff's") objections to Magistrate Judge Jeffrey J. Keyes's Report and Recommendation dated July 23, 2010, insofar as it recommends that: (1) Plaintiff's Motion for Summary Judgment be denied; (2) Defendants' Motion for Summary Judgment be granted; and (3) this case be dismissed with prejudice.

The Court has conducted a *de novo* review of the record, including a review of the arguments and submissions of counsel, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b). The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference

for purposes of Plaintiff's objections. Defendants Mary McComb, Kent Grandlienard, Steven Ayers, Mike Green, and Natalie Leseman ("Defendants") filed a Response to Plaintiff's Objections (Doc. No. 31) on August 18, 2010.

Based upon the *de novo* review of the record and all of the arguments and submissions of the parties and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

ORDER

1. Plaintiff Lance Phillip Wickner's objections (Doc. No. [30]) to Magistrate Judge Jeffrey J. Keyes's Report and Recommendation dated July 23, 2010, are **DENIED**.

2. Magistrate Judge Jeffrey J. Keyes's Report and Recommendation dated July 23, 2010 (Doc. No. [29]), is **ADOPTED**.

3. Plaintiff's Motion for Summary Judgment (Doc. No. [13]), is **DENIED**.

4. Defendants' Motion for Summary Judgment (Doc. No. [16]), is **GRANTED**.

5. This case is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 23, 2010

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge